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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	CR 07-0428 MMC
	)	
Plaintiff,	)	STIPULATION AND <del>PROPOSED</del> ORDER
	)	EXCLUDING TIME
v.	)	
	)	
CARMAN CHAN,	)	
	)	
Defendant.	)	
_____	)	

On July 12, 2007, the parties in this case appeared before the Court and stipulated that time should be excluded from the Speedy Trial Act calculations from July 12, 2007 to August 15, 2007 for effective preparation of counsel and continuity of counsel, in that defense counsel requires time to review discovery and counsel for all parties were unavailable on certain days between July 12, 2007 and August 15, 2007. The parties represented that granting the continuance was necessary for effective preparation of counsel and continuity of counsel, taking into account the exercise of due diligence. See 18 U.S.C. § 3161(h)(8)(B)(iv).

SO STIPULATED:

SCOTT N. SCHOOLS  
United States Attorney

DATED: August 15, 2007

/s/  
DENISE MARIE BARTON  
Assistant United States Attorney

DATED: August 15, 2007

/s/  
GARRICK LEW  
Attorney for CARMAN CHAN

As the Court found on July 12, 2007, and for the reasons stated above, the Court finds good cause, taking into account the public interest in prompt disposition of criminal cases that time should be excluded from the Speedy Trial Act calculations from July 12, 2007 to August 15, 2007 for effective preparation of counsel and continuity of counsel. See 18 U.S.C. §3161(h)(8)(A). The failure to grant the requested continuance would deny counsel reasonable time necessary for effective preparation and continuity of counsel, taking into account the exercise of due diligence, and would result in a miscarriage of justice. See 18 U.S.C. §3161(h)(8)(B)(iv).

SO ORDERED.

DATED: August 22, 2007

  
James Larson  
United States Chief Magistrate Judge